

E-filed on 5/28/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BRAD BOTHELL,

Plaintiff,

v.

BLUE MONKEY; SEBASTIAN SANCHEZ;
et al.,

Defendants.

No. C-07-05210 RMW

ORDER DISMISSING ACTION


On February 22, 2008, the court dismissed plaintiff Brad Bothell's complaint for failure to state a claim on which relief may be granted by this court. However, plaintiff was given twenty (20) days from the date of the order to amend his complaint to state a claim upon which this court may grant relief. Plaintiff was informed that if he failed to do so, the court would dismiss the case. Twenty days from the date of the order was March 14, 2008.

As of the date of this order, plaintiff has not amended his complaint, nor has the court received any other communication from him about the above-captioned case. Accordingly, the court hereby dismisses plaintiff's complaint without prejudice to plaintiff filing a new action, assuming he is able to state a cognizable claim over which this court has jurisdiction.

ORDER

For the foregoing reasons, the court dismisses plaintiff's complaint without prejudice. The clerk shall close the file.

DATED: 5/27/08



RONALD M. WHYTE
United States District Judge

1 A copy of this order was mailed on 5/29/08 to:

2 **Plaintiff:**

3 Brad Bothell
4 80 S. Market Street
5 San Jose, CA 95113
6 PRO SE

7 **Counsel for Defendant(s):**

8 No appearance

9 Counsel are responsible for distributing copies of this order to co-counsel, as necessary.
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
For the Northern District of California